

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LOUIS LUYTEN,)
Plaintiff,) Civil Action No. 2: 15-cv-0069
v.) Senior United States District Judge
JOHN C. FULMER, Senior Correctional) Maurice B. Cohill, Jr.
Officer, et al., ,)
Defendants.)

MEMORANDUM ORDER

This case was commenced on January 16, 2015, and was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court for Magistrate Judges.

On February 24, 2015, Magistrate Judge Eddy filed a Report and Recommendation (ECF No. 2) recommending that the case be transferred to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. § 1406(a), because all of the relevant activity in this case occurred while Plaintiff, Louis Luyten, was incarcerated at LSCI-Allenwood, which is located within the territorial limits of the United States District Court for the Middle District of Pennsylvania.

Plaintiff was served with the Report and Recommendation at his listed address and was advised that he had until March 13, 2015, to file written objections to the Report and Recommendation. To date, Plaintiff has not file Objections nor has he sought an extension of time in which to do so.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 26th day of March, 2015:

It is hereby **ORDERED** that pursuant to 28 U.S.C. § 1406(a), this case is transferred **FORTHWITH** to the United States District Court for the Middle District of Pennsylvania.

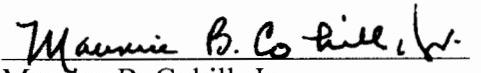
IT IS ORDERED that the Report and Recommendation (ECF No. 2) dated February 24, 2015, is **ADOPTED** as the Opinion of the Court.

It is also **ORDERED** that a ruling on Plaintiff's *in forma pauperis* motion be deferred to the transferee court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

So **ORDERED** this 26th day of March, 2015:


Maurice B. Cohill, Jr.
Senior United States District Judge

cc: LOUIS LUYTEN
29882-050
US Penitentiary Leavenworth
Post Office Box 1000
Leavenworth, KS 66048
(via U.S. First Class Mail)